

DEC 09 2004

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AUSTIN, TEXAS 78701-3271  
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**FACSIMILE TRANSMISSION****DATE:** December 9, 2004**MATTER NUMBER:** 10414166 /  
CLFR:212USD1

RECIPIENT:	FAX NO.:	PHONE NO.:
Commissioner for Patents U.S. Patent Office	(703) 872-9306	

**FROM:** Julie Erwin**FLOOR:** 20**PHONE:** (512) 536-3119**FAX:** (512) 536-4598

U.S. Patent Application No. 10/758,775 entitled "ACETYL-COENZYME A  
CARBOXYLASE 2 AS A TARGET IN THE REGULATION OF FAT BURNING, FAT  
ACCUMULATION, ENERGY HOMEOSTASIS AND INSULIN ACTION" by Salih J.

**RE:** Wakil et al.**NUMBER OF PAGES INCLUDING COVER PAGE:** 9**Message:**

Attached please find a Revocation and Substitute Power of Attorney for the above-referenced U.S. patent application.

**CAUTION - CONFIDENTIAL**

THE INFORMATION CONTAINED IN THIS FACSIMILE IS CONFIDENTIAL AND MAY ALSO CONTAIN PRIVILEGED ATTORNEY-CLIENT INFORMATION OR WORK PRODUCT. THE INFORMATION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHOM IT IS ADDRESSED. IF YOU ARE NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY USE, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THE FACSIMILE IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS ABOVE VIA THE U.S. POSTAL SERVICE. THANK YOU.

**IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL  
JULIE ERWIN AT (512) 536-3119 AS SOON AS POSSIBLE.**

DEC 09 2004

12- 8-04; 2:28PM;CLAYTON FOUNDATION

12 7:3 263 5853

6/ 13

## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Salih J. Wakil *et al.*

Serial No.: 10/758,775

Filed: January 16, 2004

For: ACETYL-COENZYME A  
CARBOXYLASE 2 AS A TARGET IN  
THE REGULATION OF FAT BURNING,  
FAT ACCUMULATION, ENERGY  
HOMEOSTASIS AND INSULIN ACTION

Group Art Unit: 1632

Examiner: Unknown

Atty. Dkt. No.: CLFR:212USD1

CERTIFICATE OF FACSIMILE TRANSMISSION  
37 C.F.R. § 1.8

I certify that this correspondence is being transmitted to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA  
22313-1450, facsimile number (703) 872-9306 on the date  
below:

Date

David L. Parker

**REVOCATION AND SUBSTITUTE POWER OF ATTORNEY**  
**PURSUANT TO 37 C.F.R. §§ 3.71 and 3.73(b)**  
**AND CHANGE OF CORRESPONDENCE ADDRESS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

The Assignee hereby revokes any previous Powers of Attorney and appoints the following ten (10) patent practitioners:

David L. Parker, Reg. No. 32,165;  
Mark B. Wilson, Reg. No. 37,259;  
Steven L. Highlander, Reg. No. 37,642;  
Robert E. Hanson, Reg. No. 42,628;

Gina N. Shishima, Reg. No. 45,104; and  
Michael R. Krawzsenek, Reg. No. 51,898  
Charles P. Landrum, Reg. No. 46,855  
Melissa W. Acosta, Reg. No. 45,872

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Jila Bakker, Reg. No. 53,962;

Melissa L. Sistrunk, Reg. No. 45,579

each an attorney or agent of the firm of FULBRIGHT & JAWORSKI L.L.P., as its attorney or agent for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to RESEARCH DEVELOPMENT FOUNDATION, referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

David L. Parker  
FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
512/474-5201

ASSIGNEE:  
RESEARCH DEVELOPMENT  
FOUNDATION

By: James F. Weiler  
Name: James F. Weiler  
Title: Vice President

Date: December 8, 2004

ASSIGNMENT:

- ☐ Concurrently filed  
☒ Previously recorded

Date: September 10, 2002

Reel: 013277

Frames: 0791

25480376.1



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

DECEMBER 04, 2002

PTAS

Under Secretary of Commerce For Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, DC 20231  
www.uspto.gov

ADLER & ASSOCIATES  
DR. BENJAMIN A. ADLER  
8011 CANDLE LN.  
HOUSTON, TX 77071



\*102221866A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/10/2002

REEL/FRAME: 013277/0791  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

WAKIL, SALIH J.

DOC DATE: 08/23/2002

ASSIGNOR:

MATZUK, MARTIN M.

DOC DATE: 08/22/2002

ASSIGNOR:

ABU-ELHEIGA, LUTFI

DOC DATE: 08/22/2002

ASSIGNEE:

RESEARCH DEVELOPMENT FOUNDATION  
402 NORTH DIVISION STREET  
CARSON CITY, NEVADA 89703

SERIAL NUMBER: 09929575

FILING DATE: 08/14/2001

PATENT NUMBER:

ISSUE DATE:

013277/0791 PAGE 2

JEFFREY OLSEN, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

9.10.02

09-16-2002



DE

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**Recordation Form Cover Sheet**

To the Honorable Commissioner of Patents and Trademarks. Please record the attached documents.

1. Name of conveying party(ies):

**Salih J. Wakil  
Martin M. Matzuk  
Lutfi Abu-Elheiga**

2. Name and address of
- 
- receiving party(ies):

**Name: Research Development  
Foundation**

**Address: 402 North Division Street  
Carson City, NV 89703**

Additional names of conveying party(ies) attached?

☒ NO ☐ YES

3. Nature of Conveyance:

☒ Assignment ☐ Merger  
☐ Security Agreement  
☐ Change of Name  
☐ OTHER \_\_\_\_\_

Additional names & addresses attached?

☒ NO ☐ YES

Execution Date(s): August 23, 2002 & August 22, 2002

4. Application number(s) or patent number(s):
- 09/929,575**

Additional numbers attached? ☒ NO ☐ YES

5. Name and address of party to whom correspondence concerning
- 
- document should be mailed:

**Name:  
Dr. Benjamin A. Adler  
ADLER & ASSOCIATES**

**Address:  
8011 Candle Ln.  
Houston, Texas 77071**

6. Total number of applications and patents involved:
- 1**

7. Total Fee (37 CFR 3.41):.....
- \$40.00**
- ☐
- enclosed
- ☒
- authorized to charge
- 
- deposit account

8. Deposit Account number:
- 07-1185**
- (duplicate copy attached if paying by deposit account)

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

**Benjamin Aaron Adler Ph.D., J.D.**

Name of person signing

  
Signature

**8/30/02**  
Date

Total number of pages comprising cover sheet: 1

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## ASSIGNMENT

WHEREAS, we, Salih J. Wakil, of 414 Thamer Circle, Houston, Texas 77024, Martin M. Matzuk, of 2926 Russett Place West, Pearland, TX 77584, and Lutfi Abu-Elheiga of 9721 Mariposa, Houston, TX 77025 (hereinafter collectively called "ASSIGNORS"), are co-inventors and owners of certain new and useful improvements in *Acetyl-Coenzyme A Carboxylase 2 As A Target in the Regulation of Fat Burning, Fat Accumulation, Energy Homeostasis and Insulin Action*, an application for United States Letters Patent having been filed on August 14, 2001 and given United States Serial Number 09/929,575;

WHEREAS, the Research Development Foundation (hereinafter called "ASSIGNEE") a non-profit organization duly organized and existing under and by virtue of the laws of the state of Nevada, and having a place of business at 402 North Division Street, Carson City, Nevada 89703, is desirous of acquiring and ASSIGNOR is desirous of assigning to ASSIGNEE all right, title and interest in and to said invention and application identified above;

NOW, THEREFORE, ASSIGNORS, for and in consideration of Ten Dollars (\$10.00) to us in hand paid, and for other good and valuable consideration, the receipt of all of which is hereby acknowledged, do hereby sell, assign and convey upon ASSIGNEE and its successors and assigns the entire right, title and interest throughout the world in the inventions and improvements which are subject of an application for United States Patent signed by me, this assignment including said application, any and all United States and foreign patents, utility models, and design registrations granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and I authorize the Assignee to apply in all countries in my name or in its own name for patents, utility models, design registrations and like rights of exclusion and for inventors' certificates for said inventions and improvements; and I agree for me and my respective heirs, legal representatives and assigns, without further compensation to perform such lawful acts and to sign such further applications, assignments, Preliminary Statements and other

lawful documents as the Assignee may reasonably request to effectuate fully this assignment.

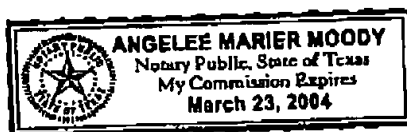
And I do further covenant and agree that I will, at any time upon request, communicate to the Assignee, its successors, assigns or other legal representative, such facts relating to said invention and Letters Patent or the file history thereof as may be known to us, and testify as to the same in any interference or other litigation when requested, without further compensation but at the expense of said Assignee, its successors or other legal representatives.

DATE: Aug 23, 2002

Salih J. Wakil  
Salih J. Wakil

STATE OF Texas:

COUNTY OF Harris:



Before me this 23rd day of August, 2002 personally appeared Salih J. Wakil known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

Notary Public

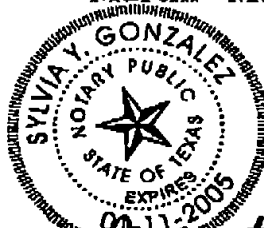
My Commission Expires:

DATE: Aug 22, 2002

Martin M. Matzuk  
Martin M. Matzuk

STATE OF Texas:

COUNTY OF Harris:



Before me this 22 day of August, 2002, personally appeared Martin Matzuk known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.



Notary Public

My Commission Expires:

DATE: 8-22-02*Lutfi Abu-Elheiga*  
Lutfi Abu-ElheigaSTATE OF Texas:COUNTY OF Harris:

Before me this 22 day of August, 2002, personally appeared Lutfi Abu-Elheiga known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

Notary Public  
My Commission Expires:*Angelee Marier Moody*